

JRW

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

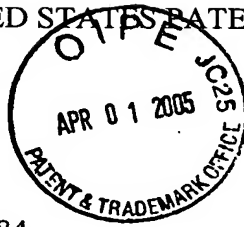
In re the Application of

Tomoko OHTSUKI

Application No.: 10/070,684

Filed: September 12, 2002

For: LASER DEVICE AND EXPOSURE METHOD



Group Art Unit: 2828

Examiner: A. Rodriguez

Docket No.: 112162

**REQUEST FOR CONSIDERATION OF DISCLOSED INFORMATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The March 23, 2005 Office Action erroneously stated on page 2 that "the information disclosure statement filed July 14, 2004 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because the information disclosure statement does not comply with 37 C.F.R. 1.98(3)(ii), no English language translation of a non-English language document or portion thereof has [sic] submitted for the crossed-out document." In addition, the PTO-1449 returned with the Office Action crossed-out all Japanese references that were listed on it.

However, all of the Japanese references were cited in the International Search Report from the International (PCT) stage of this application. An English-language translation of that Search Report was submitted with the July 14, 2004 Information Disclosure Statement, and is re-submitted herewith. In fact, this is the second time that an Information Disclosure Statement along with the translated Search Report has been submitted to the Patent Office. All of these documents were originally submitted on September 12, 2002, but had been overlooked by the previous Examiner of this application.

As indicated in MPEP 609, part III.A(3), "where the information [submitted in an Information Disclosure Statement] listed is not in the English language, but was cited in a Search Report or other action by a foreign Patent Office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the Search Report or other action which indicates the degree of relevance found by the foreign Office." In addition, MPEP 609, part II indicates that "the Examiner will consider the documents cited in the International Search Report in a PCT National Stage application when the form PCT/DO/E0/903 indicates that both the International Search Report and the copies of the documents are present in the National Stage file." For either of these reasons, the Examiner must consider the Japanese references identified in the PTO-1449 originally filed September 12, 2002, resubmitted with the Information Disclosure Statement filed July 14, 2004, and again submitted herewith.

The Examiner is requested to place his initials adjacent to the Japanese references on the attached PTO-1449, demonstrating his consideration of the subject information, and to return an initialed copy of the PTO-1449 to Applicant's undersigned attorney. The Examiner is invited to contact Applicant's undersigned attorney if anything further is required.

Respectfully submitted,



Mario A. Costantino

Registration No. 33,565

Attachments:

PTO-1449

Translated International Search Report

MAC/axl

Date: April 1, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;

Charge any fee due to our  
Deposit Account No. 15-0461



Sheet 1 of 1

Form PTO-1449 (REV. 8-83)		US Dept. of Commerce PATENT & TRADEMARK OFFICE		ATTY DOCKET NO. 112162		APPLICATION NO. 10/070,684	
INFORMATION DISCLOSURE STATEMENT  (Use several sheets if necessary)				APPLICANT Tomoko OHTSUKI			
				FILING DATE September 12, 2002		Group Art Unit: 2828	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	
	1	5,838,709	11/17/1998	Owa			
	2	5,745,284	04/28/1998	Goldberg et al.			
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	
	3	JP A 8-334803	12/17/1996	Japan			
	4	JP A 9-148658	06/06/1997	Japan			
	5	JP A 11-160746	06/18/1999	Japan			
	6	EP 0 919 852 A1	06/02/1999	Europe			
	7	JP A 3-88379	04/12/1991	Japan			
	8	JP A 10-339891	12/22/1998	Japan			
	9	JP A 11-52443	02/26/1999	Japan			
	10	EP 1 063 742 A1	12/27/2000	Europe			
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)							
	11	Petrov et al., "Vacuum ultraviolet application of $\text{Li}_2\text{B}_4\text{O}_7$ crystals: Generation of 100fs pulses down to 170nm" JOURNAL OF APPLIED PHYSICS, vol. 84, no. 11, December 1, 1998, pp. 5887-5892.					
	12	Yoshimura et al., "Noncritically phase-matched frequency conversion in $\text{Cd}_x\text{Y}_{1-x}\text{Ca}_4\text{O}(\text{BO}_3)_3$ crystal", OPTICS LETTERS, vol. 24, no. 4, February 15, 1999, pp. 193-195.					
	13	Zhang-Gui Hu, et al., "A New Nonlinear Optical Borate Crystal $\text{K}_2\text{Al}_2\text{B}_2\text{O}_7$ (KAB)", JAPANESE JOURNAL OF APPLIED PHYSICS, vol. 37 (1998), No. 10 A, (Part 2 Letters), October 1, 1998, pp. L1093-L1094.					
	14	Zhang et al., "Growth and noncritical phase-matching third-harmonic-generation of $\text{Gd}_x\text{Y}_{1-x}\text{Ca}_4\text{O}(\text{BO}_3)_3$ " JOURNAL OF CRYSTAL GROWTH, vol. 213, No. ¼, June 1, 2000, pp. 415-418					
EXAMINER					DATE CONSIDERED		
Examiner: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

Date: July 14, 2004